

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

**HL BUILDERS, LLC,
a/k/a CD HOMES, LLC**

DEBTOR.

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**Case No. 19-32825
Chapter 11**

PETITIONING CREDITORS' WITNESS AND EXHIBIT LIST

Judge:	Hon. Eduardo V. Rodriguez
Hearing Date:	Tuesday, July 16, 2019
Hearing Time:	8:30 a.m. (CT)
Parties' Names:	HouTex Builders, LLC; 2203 Looscan Lane, LLC; and 415 Shadywood, LLC
Attorneys' Names:	Charles M. Rubio; Michael D. Fritz
Attorneys' Telephone:	(713) 333-5100
Nature of Proceeding:	<p>Hearing on:</p> <ul style="list-style-type: none"> • <i>Involuntary Chapter 11 Petition</i> [ECF 1] as amended by the <i>Amended Involuntary Chapter 11 Petition</i> [ECF 23]; • <i>Emergency Motion of Petitioning Creditors for Joint Administration of Cases</i> [ECF 2]; and • <i>Emergency Motion of Petitioning Creditors to Appoint a Chapter 11 Trustee</i> [ECF 3]

Diamond McCarthy LLP (“Diamond McCarthy”), counsel to HouTex Builders, LLC; 2203 Looscan Lane, LLC; and 415 Shadywood, LLC (collectively, the “Petitioning Creditors”), hereby submits this Witness and Exhibit List in connection with the hearing to be held on Tuesday July 16, 2019, at 8:30 a.m. (Central Time) (the “Hearing”) on the *Involuntary Chapter 11 Petition* [ECF 1] as amended by the *Amended Involuntary Chapter 11 Petition* [ECF 23]; *Emergency Motion for Joint Administration of Cases* [ECF 2]; and *Emergency Motion to Appoint a Chapter 11 Trustee* [ECF No. 3].

WITNESSES

Diamond McCarthy may call any of the following witnesses at the Hearing, whether in person or by proffer:

1. Charles Foster
2. Robert Parker
3. Anna Williams
4. Any witness called by another party.

EXHIBITS

IF YOU SEEK A COPY OF THE EXHIBITS, YOU CAN ACCESS THEM BY SUBMITTING A WRITTEN REQUEST TO SANDRA HANCOCK AT SANDRA.HANCOCK@DIAMONDMCCARTHY.COM

Diamond McCarthy may offer for admission into evidence any of the following exhibits at the Hearing:

Ex.	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
1.	Contractor Agreement between CD Homes, LLC and 2203 Looscan Lane, LLC dated August 29, 2014				
2.	Contractor Agreement between CD Homes, LLC and 415 Shadywood LLC dated October 24, 2014				
3.	Investor Agreement between CD Homes, LLC and HouTex Builders, LLC dated July 2, 2014 (3 Thornblade)				
4.	Contractor Agreement between CD Homes, LLC and HouTex Builders, LLC dated May 16, 2013 (5325 Lynbrook)				

Ex.	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
5.	Proof of Claim No. 6 filed by Great Southwestern Financial Corp. in Case No. 18-34658 against HouTex Builders, LLC				
6.	Proof of Claim No. 15 filed by Spirit of Texas Bank in Case No. 18-34658 against HouTex Builders, LLC				
7.	Sources and Uses of Funds				
8.	Transcript of March 20, 2019 Deposition of Bob Parker				
9.	Transcript of May 14, 2019 Deposition of Bob Parker				
10.	Transcript of June 14, 2019 Deposition of Bob Parker				
11.	Transcript of February 1, 2019 Deposition of Jim Nored				
12.	Transcript of September 26, 2018 Hearing in Case No. 18-34658, <i>In re HouTex Builders, LLC, et al.</i>				
13.	Transcript of November 19, 2018 Hearing in Case No. 18-34658, <i>In re HouTex Builders, LLC, et al.</i>				
14.	Transcript of December 5, 2018 Hearing in Case No. 18-34658, <i>In re HouTex Builders, LLC, et al.</i>				
15.	Transcript of December 10, 2018 Hearing in Case No. 18-34658, <i>In re HouTex Builders, LLC, et al.</i>				

Ex.	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
16.	Transcript of December 17, 2018 Hearing in Case No. 18-34658, <i>In re HouTex Builders, LLC, et al.</i>				
17.	Transcript of March 25, 2019 Hearing in Case No. 18-34658, <i>In re HouTex Builders, LLC, et al.</i>				
18.	Transcript of March 27, 2019 Hearing in Case No. 18-34658, <i>In re HouTex Builders, LLC, et al.</i>				
19.	Looscan Closing Statement				
20.	Shadywood Closing Statement				
21.	Thronblade Closing Statement				
22.	West Alabama Sale				
23.	Trustmark Bank Register September 25, 2012 through June 30, 2013				
24.	Trustmark Bank Register July 1, 2013 through August 23, 2018				
25.	CommunityBank of Texas Register September 25, 2012 through June 30, 2014				
26.	CommunityBank of Texas Register July 1, 2014 through December 31, 2014				
27.	CommunityBank of Texas Register January 1, 2015 through June 30, 2015				
28.	CommunityBank of Texas Register July 1, 2015 through December 31, 2015				

Ex.	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
29.	CommunityBank of Texas Register January 1, 2016 through June 30, 2016				
30.	CommunityBank of Texas Register July1, 2016 through December 31, 2016				
31.	CommunityBank of Texas Register January 1, 2017 through June 30, 2017				
32.	CommunityBank of Texas Register July 1, 2017 through December 31, 2017				
33.	CommunityBank of Texas Register January 1, 2018 through August 23, 2018				
34.	Order Granting Motion to Compel [ECF No. 246]				
35.	Order Granting Sanction Against Robert Parker [ECF No. 314]				
36.	Great Southwest – Deed of Trust 3 Thornblade \$126k				
37.	3 Thornblade – Deed of Trust \$223k				
38.	Nored Lien – Deed of Trust 3 Thornblade \$224k				
39.	Nored Lien – Deed of Trust 3 Thornblade \$118k				
40.	Hmaidan & Hmaidan Second Deed of Trust				
41.	Pensco Trust – 415 Shadwood May 10, 2018				

Ex.	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
42.	Cedar Creek Deed of Trust				
43.	Nored – Deed of Trust Lynbrook \$339k				
44.	Nored – Deed of Trust Lynbrook \$90k				
45.	Summary of Members Draw for Trustmark Bank and Community Bank of Texas				

Diamond McCarthy reserves the right to supplement, amend or delete any witness and exhibit prior to the hearing. Diamond McCarthy also reserves the right to use any exhibit presented by any other party and to ask the Court to take judicial notice of any document. Finally, Diamond McCarthy reserves the right to introduce exhibits previously admitted.

Dated: July 12, 2019

Respectfully submitted,

DIAMOND MCCARTHY LLP

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